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26 UNITED STATES DISTRICT COURT
27 DISTRICT OF NEVADA

28 UNITED STATES OF AMERICA,)
29 Plaintiff,) Case No. 2:07-cv-01154-RCJ-LRL
30 v.)
31 WAYNE N. HAGE, Executor of the) ORDER
32 ESTATE OF E. WAYNE HAGE,) TO PERMIT APPEARANCE OF
33 AND WAYNE N. HAGE, Individually) GOVERNMENT COUNSEL *PRO HAC VICE*
34 Defendants.)
35 _____

36 The United States of America, Plaintiff, pursuant to LR IA 10-3, respectfully requests that
37 the Court permit Charles R. Shockey to practice before this Court in all matters relating to the
38 above-captioned case. Mr. Shockey is a trial attorney with the United States Department of Justice,
39 with his office located in Sacramento, California, and is a member in good standing of the District
40 of Columbia Bar (Bar No. 914879). The grounds for this motion and special show cause to enter
41 an appearance in this case are as follows.

1 1. The “conduct of litigation in which the United States, an agency, or officer thereof
2 is a party, or is interested, and securing evidence therefor, is reserved to officers of the Department
3 of Justice, under the direction of the Attorney General.” 28 U.S.C. § 516. In addition, pursuant to
4 28 U.S.C. § 515(a), the Attorney General or any other officer of the Department of Justice is
5 authorized to conduct any kind of legal proceeding, civil or criminal, which United States Attorneys
6 are authorized to conduct, “whether or not he is a resident of the district in which the proceeding is
7 brought.” Further, any officer of the Department of Justice may be sent by the Attorney General to
8 any judicial district in the United States “to attend to the interests of the United States in a suit
9 pending in a court of the United States, . . . or to attend to any other interest of the United States.”
10 28 U.S.C § 517.

11 2. Pursuant to these statutory authorities, the Attorney General has delegated litigation
12 authority to the Assistant Attorney General for the Environment and Natural Resources Division
13 (ENRD), 28 C.F.R., Subpart L, including the assignment of civil suits and matters in federal courts
14 by the United States relating to the public domain lands. 28 C.F.R. § .065(a)(1). The ENRD also
15 has assigned responsibility for handling cases involving other lands and interests in real property,
16 water and air resources, and “other natural resources in or related to such lands, water, and air, . . .”
17 28 C.F.R. 0.65(a)(2)-(4). The United States Attorney’s Manual (USAM) assigns responsibility to
18 the ENRD’s Natural Resources Section (previously known as the General Litigation Section) for
19 handling litigation involving federal land management under those statutes in which the Bureau of
20 Land Management and U.S. Forest Service administer lands and natural resources under their
21 jurisdiction. USAM 5-7.120(C).

22 3. While these statutory and legal authorities ordinarily establish the basis for an ENRD
23 attorney to appear on behalf of the United States, on June 6, 2012, this Court gave notice to the First
24 Assistant U.S. Attorney for the United States Attorney’s Office for the District of Nevada that the
25 Court “will no longer grant *pro hac* recognition to Washington D.C. Justice Attorneys without a
26 special show cause that they will comply with court orders, local ethical rules and the rules of the
27 State Bar of Nevada.” ECF # 336 at 2 (Minutes of Court). In light to that notice, the United States
28

1 attaches the Declaration of Charles R. Shockey, which attests that Mr. Shockey will comply with
2 court orders, local ethical rules, and the rules of the State Bar of Nevada.

3 Accordingly, the United States respectfully requests that an order be issued at the earliest
4 opportunity allowing Charles R. Shockey to practice before this Court. Mr. Shockey will appear in
5 addition to, and not in lieu of, counsel presently appearing on behalf of the United States in this case.

6 Respectfully submitted this 20th day of August, 2012.

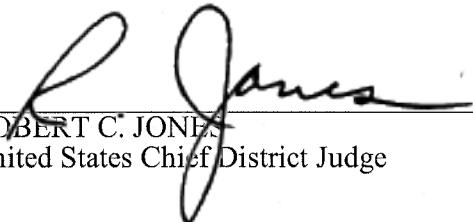
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28 IT IS SO ORDERED:

29 Dated this 23rd day of August, 2012.

30 
31 ROBERT C. JONES
32 United States Chief District Judge